

08/31/99
JC604 U.S. PTO

Please type a plus sign (+) inside this box → ☐

PTO/SB/05 (4/98)
Approved for use through 09/30/2000. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. 38-21(15757)

First Inventor or Application Identifier Christopher G Taylor

Title See 1 in Addendum

Express Mail Label No. EL302202043US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ * Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Specification [Total Pages 17]
(preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to Microfiche Appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
3. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 3]
4. Oath or Declaration [Total Pages]
 - a. ☐ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 C.F.R. § 1.63(d))
(for continuation/divisional with Box 16 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

NOTE FOR ITEMS 1 & 3 IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

5. ☐ Microfiche Computer Program (Appendix)
6. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Copy
 - b. ☐ Paper Copy (identical to computer copy)
 - c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment Papers (cover sheet & document(s))
8. ☐ 37 C.F.R. § 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
9. ☐ English Translation Document (if applicable)
10. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
11. ☐ Preliminary Amendment
12. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
13. ☐ * Small Entity Statement(s) ☐ Statement filed in prior application
(PTO/SB/09-12) ☐ Status still proper and desired
14. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
15. ☐ Other:

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No: 60/098,402

Prior application information: Examiner

Group / Art Unit:

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☒ Correspondence address below

Name	Patent Department Central					
	Monsanto/GD Searle					
Address	PO Box 5110					
City	Chicago	State	IL	Zip Code	60680-5110	
Country		Telephone	(636) 737-7685	Fax	(636) 737-6047	

Name (Print/Type)	Thomas P McBride	Registration No. (Attorney/Agent)	32,706
Signature	<i>Thomas P McBride</i>	Date	31 Aug 1999

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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<h1 style="margin: 0;">FEE TRANSMITTAL</h1> <p style="margin: 0; font-size: small;">Patent fees are subject to annual revision on October 1. These are the fees effective October 1, 1997. Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§1.27 and 1.28.</p>		Complete if Known	
TOTAL AMOUNT OF PAYMENT (\$) 868.00		Application Number	
		Filing Date	
		First Named Inventor Christopher G Taylor	
		Examiner Name	
		Group / Art Unit	
		Attorney Docket No. 38-21(15757)	

METHOD OF PAYMENT (check one)	FEE CALCULATION (continued)																																																																																																																																																																																																																																																																								
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number 13-4125</p> <p>Deposit Account Name</p> <p><input type="checkbox"/> Charge Any Additional Fee Required Under 37 C.F.R. §§ 1.16 and 1.17 <input type="checkbox"/> Charge the Issue Fee Set in 37 C.F.R. § 1.18 at the Mailing of the Notice of Allowance</p> <p>2. <input type="checkbox"/> Payment Enclosed: <input type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other</p>	<p>3. ADDITIONAL FEES</p> <table border="1" style="width: 100%; border-collapse: collapse; font-size: x-small;"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>0.00</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet.</td><td>0.00</td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td>0.00</td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td>0.00</td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td>0.00</td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td>0.00</td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td>0.00</td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200</td><td>Extension for reply within second month</td><td>0.00</td></tr> <tr><td>117</td><td>950</td><td>217</td><td>475</td><td>Extension for reply within third month</td><td>0.00</td></tr> <tr><td>118</td><td>1,510</td><td>218</td><td>755</td><td>Extension for reply within fourth month</td><td>0.00</td></tr> <tr><td>128</td><td>2,060</td><td>228</td><td>1,030</td><td>Extension for reply within fifth month</td><td>0.00</td></tr> <tr><td>119</td><td>310</td><td>219</td><td>155</td><td>Notice of Appeal</td><td>0.00</td></tr> <tr><td>120</td><td>310</td><td>220</td><td>155</td><td>Filing a brief in support of an appeal</td><td>0.00</td></tr> <tr><td>121</td><td>270</td><td>221</td><td>135</td><td>Request for oral hearing</td><td>0.00</td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td>0.00</td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - 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late filing fee or oath	0.00	127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	0.00	139	130	139	130	Non-English specification	0.00	147	2,520	147	2,520	For filing a request for reexamination	0.00	112	920*	112	920*	Requesting publication of SIR prior to Examiner action	0.00	113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	0.00	115	110	215	55	Extension for reply within first month	0.00	116	400	216	200	Extension for reply within second month	0.00	117	950	217	475	Extension for reply within third month	0.00	118	1,510	218	755	Extension for reply within fourth month	0.00	128	2,060	228	1,030	Extension for reply within fifth month	0.00	119	310	219	155	Notice of Appeal	0.00	120	310	220	155	Filing a brief in support of an appeal	0.00	121	270	221	135	Request for oral hearing	0.00	138	1,510	138	1,510	Petition to institute a public use proceeding	0.00	140	110	240	55	Petition to revive - unavoidable	0.00	141	1,320	241	660	Petition to revive - unintentional	0.00	142	1,320	242	660	Utility issue fee (or reissue)	0.00	143	450	243	225	Design issue fee	0.00	144	670	244	335	Plant issue fee	0.00	122	130	122	130	Petitions to the Commissioner	0.00	123	50	123	50	Petitions related to provisional applications	0.00	126	240	126	240	Submission of Information Disclosure Stmt	0.00	581	40	581	40	Recording each patent assignment per property (times number of properties)	0.00	146	790	246	395	Filing a submission after final rejection (37 CFR 1.129(a))	0.00	149	790	249	395	For each additional invention to be examined (37 CFR 1.129(b))	0.00	Other fee (specify) _____					0.00	Other fee (specify) _____					0.00	SUBTOTAL (3) (\$) 0.00																																																																																									
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EXTRA CLAIM FEES</p> <table border="1" style="width: 100%; border-collapse: collapse; font-size: x-small;"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>103</td><td>22</td><td>203</td><td>11</td><td>Claims in excess of 20</td><td></td></tr> <tr><td>102</td><td>82</td><td>202</td><td>41</td><td>Independent claims in excess of 3</td><td></td></tr> <tr><td>104</td><td>270</td><td>204</td><td>135</td><td>Multiple dependent claim, if not paid</td><td></td></tr> <tr><td>109</td><td>82</td><td>209</td><td>41</td><td>** Reissue independent claims over original patent</td><td></td></tr> <tr><td>110</td><td>22</td><td>210</td><td>11</td><td>** Reissue claims in excess of 20 and over original patent</td><td></td></tr> <tr> <td colspan="5" style="text-align: right;">SUBTOTAL (2)</td> <td>(\$) 108.00</td> </tr> </tbody> </table>	Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	101	790	201	395	Utility filing fee	760.00	106	330	206	165	Design filing fee		107	540	207	270	Plant filing fee		108	790	208	395	Reissue filing fee		114	150	214	75	Provisional filing fee		SUBTOTAL (1)					(\$) 760.00	Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	103	22	203	11	Claims in excess of 20		102	82	202	41	Independent claims in excess of 3		104	270	204	135	Multiple dependent claim, if not paid		109	82	209	41	** Reissue independent claims over original patent		110	22	210	11	** Reissue claims in excess of 20 and over original patent		SUBTOTAL (2)					(\$) 108.00	<p>3. 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late filing fee or oath	0.00	127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	0.00	139	130	139	130	Non-English specification	0.00	147	2,520	147	2,520	For filing a request for reexamination	0.00	112	920*	112	920*	Requesting publication of SIR prior to Examiner action	0.00	113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	0.00	115	110	215	55	Extension for reply within first month	0.00	116	400	216	200	Extension for reply within second month	0.00	117	950	217	475	Extension for reply within third month	0.00	118	1,510	218	755	Extension for reply within fourth month	0.00	128	2,060	228	1,030	Extension for reply within fifth month	0.00	119	310	219	155	Notice of Appeal	0.00	120	310	220	155	Filing a brief in support of an appeal	0.00	121	270	221	135	Request for oral hearing	0.00	138	1,510	138	1,510	Petition to institute a public use proceeding	0.00	140	110	240	55	Petition to revive - unavoidable	0.00	141	1,320	241	660	Petition to revive - unintentional	0.00	142	1,320	242	660	Utility issue fee (or reissue)	0.00	143	450	243	225	Design issue fee	0.00	144	670	244	335	Plant issue fee	0.00	122	130	122	130	Petitions to the Commissioner	0.00	123	50	123	50	Petitions related to provisional applications	0.00	126	240	126	240	Submission of Information Disclosure Stmt	0.00	581	40	581	40	Recording each patent assignment per property (times number of properties)	0.00	146	790	246	395	Filing a submission after final rejection (37 CFR 1.129(a))	0.00	149	790	249	395	For each additional invention to be examined (37 CFR 1.129(b))	0.00	Other fee (specify) _____					0.00	Other fee (specify) _____					0.00	SUBTOTAL (3)					(\$) 0.00
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SUBMITTED BY			Complete (if applicable)	
Typed or Printed Name	Thomas P McBride		Reg. Number	32,706
Signature		Date	31 Aug 1999	
			Deposit Account User ID	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Addendum

1. Novel Transgene Assay Using Stable *Agrobacterium rhizogenes* Transformation

09386105-083403
067230-509386